

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEITH JEROME WRIGHT,

Plaintiff,

v.

ZALDIVAR-GALVES,

Defendant.

No. 1:24-cv-01029 GSA (PC)

ORDER RELATING THIS MATTER TO
WRIGHT v. RODRIGUEZ, No. 1:23-cv-01586
GSA IN LIGHT OF 28 U.S.C. § 1915(g)

See Local Rule 123(a)(3)-(4)

ORDER DIRECTING CLERK OF COURT TO
UPDATE CASE CAPTION OF DOCKET IN
EACH CASE TO REFLECT RELATION OF
MATTERS

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

For the reasons stated below, the Court will relate this matter to Wright v. Rodriguez, No. 1:23-cv-01586 (“Wright I”). As a result, the undersigned will direct the Clerk of Court to update the dockets in both these matters accordingly.

I. BACKGROUND

On August 29, 2024, Plaintiff’s complaint was docketed along with Plaintiff’s application to proceed in forma pauperis. ECF Nos. 1, 2. On the same day, the Court directed Plaintiff to file a six-month prisoner trust fund account statement. ECF No. 4. As of August 30, 2024, Plaintiff’s

1 trust fund account statement has not been filed. A cursory review of all Plaintiff's filings in this
2 Court indicates that Plaintiff appears to be a three strikes litigant within the meaning of 28 U.S.C.
3 § 1915(g).

4 II. DISCUSSION

5 A comparison of this case with Wright I reveals that it is related to Wright I within the
6 meaning of Local Rule 123. Specifically, both the instant matter and Wright I address the same
7 questions of fact and law related to whether Plaintiff is a three strikes litigant within the meaning
8 of 28 U.S.C. § 1915(g) and whether, as a result, he should first be required to pay the filing fees
9 in full for both matters prior to proceeding any further in them. For this reason, the Court will
10 order that both cases be related. See Local Rule 123(a)(3)-(4). Relating these cases will merely
11 result in both actions being assigned to the same judges. It will not consolidate the two actions.

12 Accordingly, IT IS HEREBY ORDERED that:

13 1. Consistent with Local Rule 123(a)(3)-(4), this matter is RELATED to Wright v.
14 Rodriguez, No. 1:23-cv-01586 GSA on the issue of whether Plaintiff is a three strikes litigant.
15 See generally 28 U.S.C. § 1915(g), and

16 2. The Clerk of Court is directed to UPDATE the case caption of the docket both in this
17 case and in Wright v. Rodriguez, No. 1:23-cv-01586 GSA to reflect the relation of these two
18 matters to one another.

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21 IT IS SO ORDERED.

22 Dated: September 2, 2024

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE